

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1, 4, 6, 9, 10, 13 and 14 have been amended. Claims 2, 3, 11 and 12 have been canceled. Claims 1, 4-10, 13 and 14 are pending.

Claims 1-14 stand rejected under 35 U.S.C. 102(b) as being anticipated by Makaran. This rejection is respectfully traversed.

Claim 1 has been amended to include the subject matter of claim 3, claim 6 has been amended to include the subject matter of claim 8, and claim 10 has been amended to include the subject matter of claim 12. In particular, each of the independent claims recites that:

the motor is a dual speed motor and a first relay is provided together with a series resistor for operating the motor at a low speed and second relay is provided for operating the motor at a speed greater than the low speed

Makaran does not teach or suggest that a series resistor for operating the motor at a low speed. In addition, Makaran does not teach or suggest first and second relays as claimed.

Furthermore, claim 1 recites that the motor control and protection circuit is constructed and arranged ... to selectively activate the first and second relays to control speed of the motor, and to inactivate the first and second relays to disconnect power to the motor. Claim 6 recites that the means for controlling speed and protecting the motor is constructed and arranged ... to selectively activate the first and second relays to control speed of the motor and to inactivate the first and second relays to disconnect power to the motor. Claim 10 recites that the step of controlling the at least one relay to operate the motor includes selectively activating the first and second relays to control the speed of the motor, and the step of controlling the at least one relay to disconnect power to the motor includes inactivating both the first and second relays.

Applicants submit that Makaran does not teach selectively activating first and second relays to control speed of the motor and inactivating the first and second relays

to disconnect power to the motors. In fact, FIG. 5 of Makaran shows only one relay RL1 for interrupting power to motor 20a. At column 6, lines 1-2 Makaran discloses, "Switching circuit 40a includes transistors Q1 and Q2 and a relay RL1, which controls the supply of power to motor 20a..."

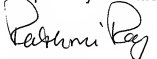
With regard to claim 13, since Makaran does not teach two relays, Makaran does not teach activating and inactivating two relays as claimed.

With regard to claim 14, Makaran does not teach or suggest operating the motor to allow lower inrush of motor currents as claimed.

Hence, the rejection should be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." *Studiengesellschaft Kohle mbH v. Dart Industries, Inc.*, 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), *aff'd.*, 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

All objections and rejections having been addressed, it is respectfully submitted that this application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

 July 12, 2006

Rashmi Raj
Registration No. 50,500
Attorney for Applicant
Tel. No. (732) 321-3872

Customer No. 28524